

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

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July 14, 2025

Via ECF

Honorable Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Knight First Amendment Institute at Columbia Univ. v. U.S. Dep't of State et al.*,
22 Civ. 3003 (DEH)

Dear Judge Ho:

This Office represents defendants the U.S. Department of State ("State"), the U.S. Department of Homeland Security ("DHS"), and the Office of the Director of National Intelligence ("ODNI," and collectively with State and DHS, "Defendants" or the "Agencies") in the above-referenced case brought by plaintiff Knight First Amendment Institute at Columbia University ("Plaintiff") pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

I write respectfully on behalf of the parties to provide a joint status update pursuant to the Court's order dated January 17, 2025, Dkt. No. 59.

As noted in the parties' last joint status report, Dkt. No. 61, Plaintiff previously requested additional information from the Agencies concerning certain withholdings from the records produced in response to Plaintiff's FOIA request. The Agencies have provided responses to those requests. In April, Plaintiff provided additional follow-up questions to State regarding the information it previously provided. State has provided its response to Plaintiff's follow-up questions.

Additionally, as noted in prior status reports, following discussions between the parties, DHS referred Plaintiff's FOIA request to the following DHS components: U.S. Immigration and Customs Enforcement ("ICE"), the Transportation Security Administration ("TSA"), U.S. Customs and Border Protection ("CBP"), and U.S. Citizenship and Immigration Services ("USCIS"). The status of those referrals is as follows:

- **ICE:** As noted in the last status report, ICE completed processing the records it located in its initial search, subject to a referral of records to DHS. DHS completed processing 288 pages from that referral and provided a production and release letter on July 11, 2025. Additionally, per the parties' agreement, ICE conducted a supplemental search of the files of Tae Johnson, then-ICE Acting Director, and Patrick Lechleitner, then-ICE Deputy Director, from October 8, 2021, to October 8, 2022, for records responsive to the FOIA request, and to follow up further if that

additional search leads to other custodians who may have responsive records from that time period. Because of the volume of records returned, ICE has been working to narrow the search results to exclude nonresponsive records and duplicate information. ICE expects to complete this process shortly and will then begin processing the responsive records. ICE expects to issue a response as to these records in the next 30 days.

- **TSA:** TSA issued its response to the FOIA request on June 17, 2025. In that response, TSA withheld one page in full and released two pages in part with redactions pursuant to FOIA exemptions. TSA's response to the FOIA request is now complete.
- **CBP:** As noted in the previous status report, CBP completed its response on March 31, 2025.
- **USCIS:** USCIS issued a second response to the FOIA request on June 13, 2025. In that response, USCIS noted that it reviewed 514 pages of records, of which it released 150 pages in full or in part; referred 137 pages to DHS for consultation; and determined that 227 pages were duplicative or non-responsive. USCIS intends to issue another response on or around July 18, 2025. After that response, USCIS expects to be finished with its processing of responsive records, subject to outstanding consultations sent to other agencies or components.

Pursuant to the Court's January 17 order, the parties will provide another status update in 60 days, by September 12, 2025. If the parties reach an impasse regarding a production schedule or other issues, they will advise the Court of their respective positions and seek the Court's guidance.

We thank the Court for its consideration of this matter.

Respectfully submitted,

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Southern District of New York

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cc: Counsel of record (via ECF)